IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 2295 of 2000

For Approval and Signature:

HON'BLE MR JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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AMBALAL KHODABHAI SOLANKI & 2 - Petitioner(s)

Versus

MAKARBA GRAM PANCHAYAT THROUGH TALATI CUM MANTRI - Respondent(s)

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Appearance :

MR MM TIRMIZI for Petitioner No(s).: 1,2,3.

MR HARIN P RAVAL for Respondent No(s).: 1.

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CORAM : HON'BLE MR JUSTICE KS JHAVERI

Date : 14/07/2005

ORAL JUDGMENT

1. This petitioner by way of this petition has prayed for the following reliefs :-

(A)Your Lordship be pleased to issue appropriate writ and/or direction, and be pleased to direct the opponent herein to appoint the applicants as permanent workmen of opponent Makarba Gram Panchayat in the interest of justice.

(B)Your Lordship be pleased to restrain the opponent from altering the service conditions to prejudice all the applicants pending, admission and/or final disposal of this petition.

(C)Your Lordship be pleased to direct the opponent to appoint the applicants as permanent employees of Makarba Gram Panchayat along with all the service benefits in the interest of justice.

(D)Your Lordship be pleased to grant and other and further relief as may be deemed fit in the facts and circumstances of the case."

2. I have heard the learned counsel for the parties. Having perused the materials placed on record, it transpires that the appropriate remedy available available to the petitioner to claim the aforesaid reliefs is to approach the Industrial Tribunal. However, if the petitioner approaches the Industrial Tribunal with the aforesaid relief, the Industrial Tribunal shall decided the same within a period of two years from the date of receipt of writ of this Court.

3. In the result, the petition stands disposed of. Rule is discharged with no order as to costs. Interim relief if any stands vacated.

[K.S. JHAVERI, J.]

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